

**Title 19—DEPARTMENT OF
HEALTH AND SENIOR SERVICES**

**Division 30—Division of Senior Services
and Regulation**

Chapter 86—Residential Care Facilities I and II

**19 CSR 30-86.032 Physical Plant Requirements
for New and Existing Residential Care
Facilities I and II**

PURPOSE: This rule establishes standards for the physical plant of new or existing residential care facilities I and II.

PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. This material as incorporated by reference in this rule shall be maintained by the agency at its headquarters and shall be made available to the public for inspection and copying at no more than the actual cost of reproduction. This note applies only to the reference material. The entire text of the rule is printed here.

Editor's Note: All rules relating to long-term care facilities licensed by the Division of Senior Services and Regulation are followed by a Roman Numeral notation which refers to the class (either class I, II or III) of standard as designated in section 198.085.1, RSMo 2000.

(1) Definitions. For the purpose of this rule, the following definitions shall apply:

(A) Non-licensed adult day care program shall mean a group program designated to provide care and supervision to meet the needs of four (4) or fewer impaired adults for periods of less than twenty-four (24) hours but more than two (2) hours per day in a long-term care facility.

(B) Respite care shall mean short-term care and health services to an impaired individual who is at least seventeen (17) years of age and who receives care or supervision that is normally provided in home by his or her family or other caregiver.

(C) Adult day health care program shall mean a program operated by a provider certified to provide Medicaid-reimbursed adult day health care services to Medicaid-eligible participants in accordance with 19 CSR 70-92.010.

(D) Associated adult day health care program shall mean an adult day health care program, which is connected physically with a

licensed long-term care facility but has separate designated space for an adult day health care program which is above the licensed space requirement for the long-term care residents. An associated adult day health care program may share, in part, staff, equipment, utilities, dietary and security with the connected long-term care facility. Recipients of adult day health care program may participate with the residents of the long-term care facility for some activities and programs.

(2) The building shall be substantially constructed and shall be maintained in good repair and in accordance with the construction and fire safety rules in effect at the time of initial licensing. II/III

(3) Only activities necessary to the administration of the facility shall be contained in any building used as a long-term care facility except as follows:

(A) Related activities may be conducted in buildings subject to prior written approval of these activities by the Department of Health and Senior Services (hereinafter—the department). Examples of these activities are Home Health Agencies, physician's office, pharmacy, ambulance service, child day care and food service for the elderly in the community;

(B) Adult day care may be provided for four (4) or fewer participants without prior written approval of the department if the long-term care facility meets the following stipulations:

1. The operation of the adult day care business shall not interfere with the care and delivery of services to the long-term care residents;

2. The facility shall only accept participants in the adult day care program appropriate to the level of care of the facility and whose needs can be met;

3. The facility shall not change the physical layout of the facility without prior written approval of the department;

4. The facility shall provide a private area for adult day care residents to nap or rest;

5. Adult day care participants shall be included in the census, and the licensed capacity of the long-term care facility shall not be exceeded; and

6. The adult day care participants, while on site, are to be included in the determination of staffing patterns for the long-term care facility;

(C) An associated adult day health care program may be operated without prior written approval if the provider of the adult day health care services is certified in accordance with 19 CSR 70-92.010;

(D) Respite care may be provided without prior written approval if the facility meets the following stipulations:

1. The operation of the respite care business shall not interfere with the care and delivery of services to the long-term care residents;

2. The facility shall only accept individuals in the respite care program appropriate to the level of care of the facility and whose needs can be met;

3. The facility shall not change the physical layout of the facility without prior written approval of the department;

4. The facility shall admit the respite care resident into a long-term care resident room;

5. Respite care residents shall be included in the census, and the licensed capacity of the long-term care facility shall not be exceeded; and

6. The respite care residents shall be included in the determination of staffing patterns for the long-term care facility. II/III

(4) All stairways shall be equipped with permanently secured handrails on at least one (1) side. III

(5) There shall be a telephone in the facility and additional telephones or extensions as necessary so that help may be summoned promptly in case of fire, accident, acute illness or other emergency. II/III

(6) Bath and toilet facilities shall be provided for the convenience, privacy, comfort and safety of residents. Fixed partitions or curtains shall be provided in toilet and bathrooms to assure privacy. II/III

(7) Newly licensed facilities shall have handrails and grab bars affixed in all toilet and bathing areas. Existing licensed facilities shall have handrails and grab bars available in at least one (1) bath and toilet area. II

(8) There shall be adequate storage areas for food, supplies, linen, equipment and resident's personal possessions. III

(9) Each room or ward in which residents are housed or to which residents have reasonable access shall be capable of being heated to not less than eighty degrees Fahrenheit (80°F) under all weather conditions. Temperature shall not be lower than sixty-eight degrees Fahrenheit (68°F) and the reasonable comfort needs of individual residents shall be met. I/II

(10) In newly licensed facilities or if a new heating system is installed in an existing licensed facility, the heating of the building shall be restricted to steam, hot water, permanently installed electric heating devices or a warm air system employing central heating, plants with installation such as to safeguard the inherent fire hazard, or approved installation of outside wall heaters which bear the approved label of the American Gas Association or National Board of Fire Underwriters. All oil or gas heating appliances shall be properly vented to the outside. The use of portable heaters of any kind is prohibited. If approved wall heaters are used, adequate guards shall be provided to safeguard residents. I/II

(11) Wood-burning stoves shall not be installed in newly licensed facilities or in existing licensed facilities that did not previously have a wood-burning stove. If wood-burning stoves are used in an existing licensed facility, or wood-burning furnaces or fireplaces are used, flues or chimneys shall be maintained in good condition and kept free of accumulation of combustible materials. II

(12) Fireplaces may be used only if there is a protective screen in place; if there is direct staff supervision of residents while in use; and the fire shall not be left burning overnight. II

(13) In facilities that are constructed or have plans approved after July 1, 2005, electrical wiring shall be installed and maintained in accordance with the requirements of the *National Electrical Code, 1999 edition*, National Fire Protection Association, Inc. One Batterymarch Park, Quincy, Massachusetts 02269, incorporated by reference, and local codes. Facilities built between July 1, 2005 and September 28, 1979 shall be maintained in accordance with the requirements of the *National Electrical Code*, which was in effect at the time of the original plan approval and local codes. This rule does not incorporate any subsequent amendments or additions. In facilities built prior to September 28, 1979, electrical wiring shall be maintained in good repair and shall not present a safety hazard. All facilities shall have wiring inspected every two (2) years by a qualified electrician. II/III

(14) Lighting is restricted to electricity. II

(15) Lighting in hallways, bathrooms, recreational and dining areas and all resident-use areas shall be provided with a minimum intensity of ten (10) footcandles. All lights in resident-use areas shall be provided with a shade to prevent direct glare to the residents' eyes. II/III

(16) Night lights shall be provided for corridors, stairways and toilet areas. II

(17) A reading light shall be provided for each resident desiring to read. Additional lighting shall be provided to meet the individual needs of each resident. III

(18) If extension cords are used, they must be Underwriters' Laboratory (UL)-approved and sized to carry the current required for the appliance used. Only one (1) appliance shall be connected to one (1) extension cord and only two (2) appliances may be served by one (1) duplex receptacle. If extension cords are used, they shall not be placed under rugs, through doorways or located where they are subject to physical damage. II/III

(19) If elevators are used, installation and maintenance shall comply with local and state codes and the *National Electric Code*. II/III(20) Air conditioning, fans or a ventilating system shall be available and used when the room temperature exceeds eighty-five degrees Fahrenheit (85°F) and the reasonable comfort needs of individual residents shall be met. I/II

(21) Gas-fired water heaters shall be properly installed and vented and all water heaters shall be equipped with a temperature and pressure relief valve. II

(22) Furniture and equipment shall be maintained in good condition and shall be replaced if broken, torn, heavily soiled or damaged. Rooms shall be so designed and furnished that the comfort and safety of the residents are provided for at all times. II/III

(23) Rooms shall be neat, orderly and cleaned daily. II/III

(24) An individual bed, in good repair and of a rigid type, shall be provided to each resident. Beds shall be at least thirty-six inches (36") wide. Double beds of satisfactory construction may be provided for married couples. Rollaway, metal cots or folding beds shall not be used. II/III

(25) A minimum of three feet (3') shall be available between beds when parallel. III

(26) Mattresses shall be clean, in good repair and a minimum of four inches (4") in thickness to provide comfort. II/III

(27) Each bed shall be provided with at least one (1) clean, comfortable pillow. Extra pillows shall be available to meet the needs of the residents. III

(28) Screens or curtains, either portable or permanently affixed, shall be available and used in multi-resident bedrooms to provide privacy as needed or if requested. III

(29) Each resident shall be provided with an individual locker or other suitable space for storage of clothing and personal belongings. III

(30) Each resident shall be provided with an individual rack for a towel(s) and washcloth(s) unless provided with a clean washcloth(s) or towel(s) for use each time needed. III

(31) A comfortable chair shall be available for each resident's use. III

(32) Each window shall be provided with a shade, drape or curtain to restrict the amount of sunlight when necessary. III

(33) All new and existing residential care facilities II and all residential care facilities I whose plans are approved or which are initially licensed for more than twelve (12) residents after December 31, 1987 shall be equipped with a call system consisting of an electrical intercommunication system, buzzer system or hand bells. An acceptable mechanism for calling attendants shall be located in each toilet room and resident bedroom. Call systems for facilities whose plans are approved or which are initially licensed after December 31, 1987 shall be audible in the attendant's work area. II/III

(34) Plumbing fixtures which are accessible to residents and which supply hot water shall be thermostatically controlled so that the water temperature at the fixture does not exceed one hundred twenty degrees Fahrenheit (120°F) (49°C) and the water shall be at a temperature range between one hundred five degrees Fahrenheit (105°F) (41°C) and one hundred twenty degrees Fahrenheit (120°F) (49°C). I/II

AUTHORITY: section 198.076, RSMo 2000. This rule originally filed as 13 CSR 15-15.032. Original rule filed July 13, 1983, effective Oct. 13, 1983. Emergency amendment filed Nov. 9, 1983, effective Nov. 19, 1983, expired March 18, 1984. Amended: Filed Nov. 9, 1983, effective Feb. 11, 1984. Emergency amendment filed Aug. 1, 1984, effective Aug. 13, 1984, expired Dec. 10, 1984. Amended: Filed Sept. 12, 1984, effective Dec. 13, 1984. Amended: Filed May 13, 1987, effective Aug. 13, 1987. Amended: Filed Aug. 1, 1988, effective Nov. 10, 1988. Moved to 19 CSR 30-86.032, effective Aug. 28, 2001. Amended: Filed Nov. 15, 2004, effective May 30, 2005.*

**Original authority: 198.076, RSMo 1979, amended 1984.*